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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/630,572	08/03/2000	Hiroki Yoshida	44084-468	9613

7590 04/04/2006  
McDermott Will & Emery  
600 13th Street NW  
Washington, DC 20005-3096

EXAMINER

BAKER, CHARLOTTE M

ART UNIT PAPER NUMBER

2625

DATE MAILED: 04/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09/630572

EXAMINER

ART UNIT

PAPER

03242006

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

Contacted Wayne Rogers (Docket Department) on 03/22/2006 to inquire as to the status of the application since six months and one day had elapsed since the Final Rejection was mailed. Mr. Rogers stated that the office had not received the Final Rejection and I stated to him that I would generate a letter to restart the response period. I also spoke with Mr. Wise on 03/23/2006 and he also told me they had never received the Final Rejection.

**KIMBERLY WILLIAMS  
SUPERVISORY PATENT EXAMINER**

<b>Office Action Summary</b>	Application No. 09/630,572	Applicant(s) YOSHIDA, HIROKI	
	Examiner Charlotte M. Baker	Art Unit 2625 <u>2625</u>	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is FINAL.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 August 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |  |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments with respect to claims 1, 7, 9, and 11 have been considered but are moot in view of the new ground(s) of rejection due to applicant's amendment of claims 1, 7, and 9 and the addition of new claim 11. See new grounds of rejection below.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-9 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Kuwata et al. (6,392,759).

**Regarding claim 1:** Kuwata et al. disclose edge detecting means (Fig. 1, image processor 20) for determining the presence/absence of an edge at each pixel of input data (Fig. 1 and col. 9, ln. 65 through col. 10, ln. 4) and detecting a position of the edge at each pixel (col. 10, ln. 5-12); selecting means (Fig. 1, image processor 20) for selecting a weighting matrix corresponding to the position of the edge of each target pixel determined to have an edge by said edge detecting means (Fig. 1, image processor 20) (Figs. 9-10, and col. 10, ln. 25-47 and col. 13, ln. 28-37 and ln. 51-63); enhancement range determining means (Fig. 1, image processor 20) for determining, using said weighting matrix (Figs. 9-10, and col. 10, ln. 25-47 and col. 13, ln. 28-37 and ln. 51-63), a range of edge enhancement (see equation 8, col. 12,  $(E_{enhance} * (Y - Y_{unsharp}))$ ) of each

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said target pixel determined to have an edge (col. 12, ln. 50-67); and edge enhancing means (Fig. 1, image processor 20) for executing an edge enhancement process on data of object pixels within the enhancement range determined by said enhancement range determining means (Fig. 1, image processor 20) (Figs. 13-14 and col. 12, ln. 35-55).

**Regarding claim 2:** Kuwata et al. satisfy all the elements of claim 1. Kuwata et al. further disclose wherein said enhancement range determining means (Fig. 1, image processor 20) increases the weighting of components corresponding to the interior side of the edge in the weighting matrix (Fig. 19, and col. 14, ln. 29-63).

**Regarding claim 3:** Kuwata et al. satisfy all the elements of claim 1. Kuwata et al. further disclose wherein said edge detecting means (Fig. 1, image processor 20) determines the edge to be between pixels (Fig. 8 and col. 10, ln. 5-39).

**Regarding claim 4:** Kuwata et al. satisfy all the elements of claim 1. Kuwata et al. further disclose wherein said enhancement range determining means selects the weighting matrix based on the presence/absence of an edge in four direction surrounding the target pixel (Fig. 8 and col. 10, ln. 5-42).

**Regarding claim 5:** Kuwata et al. satisfy all the elements of claim 1. Kuwata et al. further disclose wherein said edge enhancing means (Fig. 1, image processor 20) executes processing based on the hue and chroma of the pixels surrounding the object pixel (Fig. 1 and col. 9, ln. 65-67 and col. 10, ln. 1-23 and ln. 35-39).

**Regarding claim 6:** Kuwata et al. satisfy all the elements of claim 1. Kuwata et al. further disclose wherein said edge enhancing means executes processing based on the distance of the object pixel to the target pixel (Fig. 16 and col. 11, ln. 14-31 and Fig. 7 and col. 12, ln. 11-34).

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**Regarding claim 7:** The structural elements of apparatus claim 1 perform all of the steps of method claim 7. Thus, claim 7 is rejected for the same reasons discussed in the rejection of claim 1.

**Regarding claim 8:** Kuwata et al. satisfy all the elements of claim 7. The structural elements of apparatus claim 2 perform all of the steps of method claim 8. Thus, claim 8 is rejected for the same reasons discussed in the rejection of claim 2.

**Regarding claim 9:** Arguments analogous to those stated in the rejection of claim 1 are applicable. A recording medium that stores computer executable programs in inherently taught as evidenced by computer main body 21 and various memories stored therein.

**Regarding claim 11:** Kuwata et al. disclose an edge detector (Fig. 1, image processor 20) for determining the presence/absence of an edge at each pixel of input data (Fig. 1 and col. 9, ln. 65 through col. 10, ln. 4) and detecting a position of the edge at each edge pixel (col. 10, ln. 5-12); a selector (Fig. 1, image processor 20) for selecting a weighting matrix corresponding to the position of the edge of each target pixel determined to have an edge by said edge detecting means (Fig. 1, image processor 20) (Figs. 9-10, and col. 10, ln. 25-47 and col. 13, ln. 28-37 and ln. 51-63); and a controller (Fig. 1, image processor 20) configured to determine, using said weighting matrix (Figs. 9-10, and col. 10, ln. 25-47 and col. 13, ln. 28-37 and ln. 51-63), the range of edge enhancement (see equation 8, col. 12,  $(E_{enhance} * (Y - Y_{unsharp}))$ ) of each said target pixel determined to have an edge (col. 12, ln. 50-67); said controller (Fig. 1, image processor 20) further configured to execute an edge enhancement process on data of object pixels within the enhancement range determined by said enhancement range determining means (Fig. 1, image processor 20) (Figs. 13-14 and col. 12, ln. 35-55).

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*Conclusion*

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charlotte M. Baker whose telephone number is 571-272-7459.


The examiner can normally be reached on Monday-Friday 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on 571-272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
CMB

  
KIMBERLY WILLIAMS  
SUPERVISORY PATENT EXAMINER